

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WILMINGTON SAVINGS FUND SOCIETY,
Plaintiff(s),
v.
SATICOY BAY LLC SERIES 9338
WILDERNESS GLEN AVANUE, et al.,
Defendant(s).

Case No. 2:17-CV-1775 JCM (BNW)

ORDER

Presently before the court is the matter of *Brown v. Saticoy Bay LLC Series 9338 Wilderness Glen Avenue*, case number 2:17-cv-1775-JCM-BNW.

The court is in receipt of defendant's emergency motion for a temporary restraining order and preliminary injunction. (ECF No. 121). This matter is currently scheduled for a bench trial on March 27, 2023, pursuant to the stipulation of the parties and this court's order. (ECF No. 120).

After review of the motion, and as permitted by Federal Rule of Civil Procedure 65(a)(2), the court intends to "advance the trial on the merits and consolidate it with the hearing" on the motion for preliminary injunction. Fed. R. Civ. P. 65(a)(2). This minute order shall constitute "clear and unambiguous notice" of that intent. *See Univ. of Texas v. Camenisch*, 451 U.S. 390, 395 (1981). The sole question remaining at trial is the application of the "notice/prejudice" rule articulated in *U.S. Bank, Nat'l Ass'n ND v. Res. Grp., LLC*, 444 P.3d 442, 446 (Nev. 2019), and there is no obvious need to delay ruling on the merits.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that, pursuant to Federal Rule of Civil Procedure 65(a)(2), the one-day bench trial in this matter shall be ADVANCED to

1 Tuesday, January 24, 2023, at 9:00am in courtroom 6A. Trial counsel shall appear for calendar
2 call on Wednesday, January 18, 2023, at 1:30pm in courtroom 6A.

3 IT IS FURTHER ORDERED THAT, if any party wishes to supplement the factual record,
4 it should do so by 11:59pm on Thursday, January 19, 2023.

5 DATED January 13, 2023.

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7 UNITED STATES DISTRICT JUDGE
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